

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

SECURITIES AND EXCHANGE COMMISSION,	X	
	:	
Plaintiff,	:	
-against-	:	Civil Action No. 1:21-cv-00260-PB
	:	
LBRY, INC.,	:	
	:	
Defendant.	:	
	X	

**DECLARATION OF JOHN T. DIXON IN SUPPORT OF LBRY, INC.’S  
MOTION FOR SUMMARY JUDGMENT**

Pursuant to 28 U.S.C. § 1746, I, John T. Dixon, declare under penalty of perjury that the following is true and correct:

1. I am an attorney admitted to practice in the States of New York and Georgia. I am an attorney in the New York City office of Perkins Coie LLP and am admitted *pro hac vice* in this matter. I represent LBRY, Inc. (“LBRY”) in this action. I make this Declaration upon personal knowledge and, if called upon to testify, could and would testify competently hereto.

2. I respectfully submit this declaration in support of LBRY’s Motion for Summary Judgment and to transmit true and correct copies of the following documents:

<u><b>Exhibit</b></u>	<u><b>Document Description</b></u>
1	Declaration of Jeremy Kauffman and Exhibit A Thereto
2	Confidential Expert Report of Dr. Boris M. Richard, dated February 4, 2022
3	Amended - Confidential Expert Report of Dr. Boris M. Richard, dated April 29, 2022
4	LBRY PLN dated October 2016. Produced as LBRY_000054

<b><u>Exhibit</u></b>	<b><u>Document Description</u></b>
5	LBRY webpage announcement titled “\$500K in VC Funds from Pillar et al” (September 7, 2016), <i>available at</i> <a href="https://lbry.com/news/500k-vc-funds-pillar">https://lbry.com/news/500k-vc-funds-pillar</a>
6	LBRY webpage announcement titled “LBRY v0.19 Is Shifting Into High Gear” (December 11, 2017), <i>available at</i> <a href="https://lbry.com/news/lbry-shifting-into-high-gear">https://lbry.com/news/lbry-shifting-into-high-gear</a>
7	LBRY webpage announcement titled “Introducing LBRY: The Bitcoin of Content” (September 9, 2015), <i>available at</i> <a href="https://lbry.com/news/introducing-lbry-the-bitcoin-of-content">https://lbry.com/news/introducing-lbry-the-bitcoin-of-content</a>
8	LBRY webpage announcement titled “LBRY Beta Goes Live! A Declaration of Independence from Big Media” (July 4, 2016), <i>available at</i> <a href="https://lbry.com/news/beta-live-declare-independence-big-media">https://lbry.com/news/beta-live-declare-independence-big-media</a>
9	LBRY webpage announcement titled “Introducing lbry.tv” (January 31, 2020), <i>available at</i> <a href="https://lbry.com/news/lbrytv">https://lbry.com/news/lbrytv</a>
10	LBRY webpage announcement titled “Development and Community Update” (December 12, 2017), <i>available at</i> <a href="https://lbry.com/news/lbry-development-community-update-1">https://lbry.com/news/lbry-development-community-update-1</a>
11	LBRY webpage announcement titled “Looking Back and Moving Forward: LBRY in 2019/2020” (February 7, 2020), <i>available at</i> <a href="https://lbry.com/news/lbry-in-2019-2020">https://lbry.com/news/lbry-in-2019-2020</a>
12	LBRY webpage announcement titled “Looking Back and Moving Forward: LBRY in 2018/2019” (February 6, 2019), <i>available at</i> <a href="https://lbry.com/news/lbry-in-2018-2019">https://lbry.com/news/lbry-in-2018-2019</a>
13	LBRY webpage announcement titled “How can I buy LBC with a credit card?”, <i>available at</i> <a href="https://lbry.com/faq/buy-lbc">https://lbry.com/faq/buy-lbc</a>
14	Excerpts from the Deposition Transcript of Michael Finger, dated December 7, 2021
15	Article titled “LBRY: The Lovechild of Bitcoin, BitTorrent & Storj” (October 30, 2015), <i>available at</i> <a href="https://cointelegraph.com/news/lbry-the-lovechild-of-bitcoin-bittorrent-storj">https://cointelegraph.com/news/lbry-the-lovechild-of-bitcoin-bittorrent-storj</a>
16	Article titled “The Appcoin Revolution: Interview with Mike Vine of LBRY” (February 6, 2016), <i>available at</i> <a href="https://cointelegraph.com/news/the-appcoin-revolution-interview-with-mike-vine-of-lbry">https://cointelegraph.com/news/the-appcoin-revolution-interview-with-mike-vine-of-lbry</a>
17	Article titled “LBRY Launches Blockchain-Based Creator-Controlled Content App, New Appcoin” (July 4, 2016), <i>available at</i> <a href="https://cointelegraph.com/news/lbry-launches-blockchain-based-creator-controlled-content-app-new-appcoin">https://cointelegraph.com/news/lbry-launches-blockchain-based-creator-controlled-content-app-new-appcoin</a>

<b><u>Exhibit</u></b>	<b><u>Document Description</u></b>
18	Article titled “Making Netflix and Youtube Outdated: How Blockchain Changes Media” (July 5, 2016), <i>available at</i> <a href="https://cointelegraph.com/news/making-netflix-and-youtube-outdated-how-blockchain-changes-media?utm_content=buffer615d6&amp;utm_medium=social%E2%80%A6">https://cointelegraph.com/news/making-netflix-and-youtube-outdated-how-blockchain-changes-media?utm_content=buffer615d6&amp;utm_medium=social%E2%80%A6</a>
19	Article titled “LBRY’s Blockchain-Based Netflix-Killer Is Now in Beta” (July 11, 2016), <i>available at</i> <a href="https://steemit.com/blockchain/@enterprise/lbry-s-blockchain-based-netflix-killer-is-now-in-beta">https://steemit.com/blockchain/@enterprise/lbry-s-blockchain-based-netflix-killer-is-now-in-beta</a>
20	LBRY webpage announcement titled “\$1.2B Market Cap and We Don’t Care - LBRY” (July 15, 2016), <i>available at</i> <a href="https://lbry.com/news/1.2b-market-cap-we-dont-care">https://lbry.com/news/1.2b-market-cap-we-dont-care</a>
21	Excerpts from LBRY’s public Telegram social media channel “LBRY Chat,” dated October 9, 2018. Produced as LBRY_SEC00059063
22	Excerpts from LBRY’s public Telegram social media channel “LBRY Chat,” dated December 23, 2018 conversation. Produced as LBRY_SEC00059142
23	Excerpts from LBRY’s public Telegram social media channel “LBRY Chat,” dated March 5, 2019. Produced as LBRY_SEC00058961
24	Excerpts from LBRY’s public Telegram social media channel “LBRY Chat,” dated January 2, 2020. Produced as LBRY_SEC00058906
25	Excerpts from LBRY’s public Telegram social media channel “LBRY Chat,” dated July 30, 2020. Produced as LBRY_SEC00058680
26	Excerpts from LBRY’s public Telegram social media channel “LBRY Chat,” dated January 7, 2021. Produced as LBRY_SEC00058751
27	LBRY webpage announcement titled “Introducing lbry.tech and the LBRY Spec” (February 20, 2019), <i>available at</i> <a href="https://lbry.com/news/lbrytech">https://lbry.com/news/lbrytech</a>
28	LBRY Spec: “A Decentralized Digital Content Marketplace”, <i>available at</i> <a href="https://spec.lbry.com/lbry-spec.pdf">https://spec.lbry.com/lbry-spec.pdf</a>
29	MoonPay LBC Transaction Data for 2020 and 2021. Produced as MOONPAY0000001.
30	Excerpts from the Deposition Transcript of Jeremy Kauffman, dated March 21, 2022
31	Declaration of Naomi Brockwell
32	Declaration of Aaron Watson
33	Declaration of John Dorval

<u>Exhibit</u>	<u>Document Description</u>
34	Declaration of David Jones

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 4, 2022

Respectfully submitted,

*/s/ John T. Dixon*

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John T. Dixon (*pro hac vice*)  
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*Attorneys for LBRY, Inc.*